

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:12-CR-00293-RJC

USA

v.

LARRY D. ALEXANDER (1)

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ORDER

THIS MATTER is before the Court upon motion of the defendant pro se for a reduction of sentence under § 404 of the First Step Act of 2018. (Doc. No. 93).

Section 404(c) of the Act specifies that a court “shall not entertain” a reduction motion where the sentence was imposed in accordance with the Fair Sentencing Act of 2010. Pub. L. 115-135 (2018). Here, the defendant was sentenced on February 26, 2014, facing a range of punishment on Count One of twenty years to life imprisonment, based on his guilty plea to conspiring in 2012 to distribute 280 grams or more of cocaine base under 21 U.S.C. §§ 841(b)(1)(A) and 851, as amended by the Fair Sentencing Act. (Doc. No. 12: Indictment at 1; Doc. No. 22: Plea Agreement at 2; Doc. No. 43: Revised Presentence Report at 1). Accordingly, he is not eligible for a sentence reduction under § 404(b) of the First Step Act.

IT IS, THEREFORE, ORDERED that the defendant’s motion, (Doc. No. 93), is **DISMISSED**.

The Clerk is directed to certify copies of this Order to the defendant and the United States Attorney.

Signed: May 30, 2023



Robert J. Conrad, Jr.
United States District Judge